COCHINITE—DEFINITION OF

170. Mr. C. V. Iyyu *(Kunnamkulam):* Will Government be pleased to print and place on the Council table the Government Orders defining the significance of the word "Cochinite"?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* Copies of the Government Orders available are placed on the Council table.

Mr. C. V. Iyyu *(Kunnamkulam):* There are 4 different Government Orders, and the definition given in each varies. Such a very important and a very compact matter ought to be published in the Council report. I should like to know whether the Government have ascertained whether the Madras Government or the Travancore Government follow the same rules in regard to the definition of their nationals there?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* I have no information just now.

Mr. C. V. Iyyu *(Kunnamkulam):* Will the Government be pleased to adopt the Government Orders of the Madras Government for this purpose?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* That question does not arise as a supplementary question.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know whether the Government realise that many Travancoreans are able to become Cochinites by this vague definition and they get into the Government service?

Mr. A. B. Salem *(Mattancheri):* What is the definition?

Dr. A. R. Menon *(Minister for Rural Development):* May I also remind you that many Cochinites have entered the Travancore and British services?

Mr. C. V. Iyyu *(Kunnamkulam):* Some Cochinites may have once entered British service. And many Travancoreans are even now entering Cochin service, but nobody from Cochin are permitted to enter the Travancore service for the last few years.

Mr. A. B. Salem *(Mattancheri):* What is the definition, please?

Mr. C. V. Iyyu *(Kunnamkulam):* G. O., dated 23rd August 1921, says that for purposes of the C. E. C. the children of persons coming under the following categories will be treated as Cochinites.—

(*a*) Those who have lived continuously in Cochin for over seven years, *i.e.*, those who are domiciled in Cochin, though not born here.

(*b*) Persons who are in the permanent (not lent officers) service of the State and pensioners residing in Cochin.

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Then another Government order, dated 15th October 1932 says.—

The definition suggested by the Director of Public Instruction in his letter read above will be adopted for purposes of half-fee concession. The Director's letter is as follows.—

> "The interpretation of the term 'Cochinite' given in Diwan's Proceedings, Dis. 668/D/98, dated 11th October 1922, L. and L. Department, was in amplification of the definition given in D. P. Dis. 9/R/97, dated 23rd August 1921, L. and L. Department. If this interpretation is considered cumbrous, all those who are born in Cochin and those who have been tax-payers for a period of not less than 5 years and thus become domiciled in Cochin, may be treated as Cochinites."

The next order is dated, 3rd November 1939. It reads as follows.—"The Director is informed that a comprehensive definition is impracticable. He will refer doubtful cases to Government with relevant facts and necessary recommendations for orders. The rules adopted by the S. S. B. will ordinarily be applicable for educational concessions also."

Then again another G. O., dated 26th March 1940, says.—

"Possession of landed interest in the State by the father or mother or applicant is also considered sufficient for purposes of appointment according to the rules of the S. S. B."

This was issued after my raising a hue and cry over the appointment of one Miss Kuruvilla—a Travancore Lady Graduate in the State service. My point is that there should be some definite rule with regard to the term bona-fide, Cochinite instead of having many interpretations.

Mr. C. R. Iyyunni *(Trichur-South):* May I know, Sir, whether the Government have come to any one particular view with regard to this definition?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* No. There are different definitions for different purposes. The definition varies with the purposes for which the definition was framed; for instance, for the purpose of appointments, there is one definition; for the purpose of half-fee concession, we have another one; the definition for the purpose of appointment, we have given at the back of the application to the S. S. B. itself, *i. e.*, birth, allegiance, domicile and possession of landed properties.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* Is it given in the application form?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* Yes, there is an indication in the S. S. B. application form to that effect.

Mr. C. R. Iyyunni *(Trichur-South):* Is there any difficulty to have one definition alone with regard to educational concessions, appointments and so on?

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Rao Sahib K. Achyuta Menon *(Secretary to Government):* We attempted to frame one definition. In fact when I was Diwan Peishkar I tried my best. But there was very great difficulty experienced. For instance, let us take a particular case, the case of Miss Kuruvilla of whom Mr. C. V. Iyyu has mentioned. In regard to that matter there arose certain complications. It is impossible in all cases to prescribe one definition. If you prescribe one definition alone, it will be only to create more complications than those that already exist. No such definition is given even by other Governments. They all provide for birth, domicile, possession of landed property, etc. It is only in that way we can frame a definition. We cannot prescribe an arbitrary definition to cover people of all classes, so that Government very naturally thought it must be left to the discrimination of the authorities to adopt a definition on the merits of each case.

Mr. C. R. Iyyunni *(Trichur-South):* May I know whether there is any particular definition so far as British persons are concerned?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* They have the Indian Naturalisation Act. We considered that definition. We found that it takes in, cases of domicile, birth, allegiance and possession of landed interests which are the only things which you find here for the purpose of appointments, etc., also.

Mr. C. R. Iyyunni *(Trichur-South):* Is it the case of the Government then that there is only one definition?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* So far as appointments are concerned there is only one definition, that is seven years' residence. Then for the purpose of half-fee concessions, five years' residence.

Mr. A. V. Moothedan *(Chalakkudi):* Has the Government of Travancore any definition defining Travancore subject?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* I am not aware of any comprehensive definition which will apply to all sets of people.

Mr. A. V. Moothedan *(Chalakkudi):* Before defining Cochinites, have the Government considered the Travancore definition?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* I am not aware whether the Travancore Government has got any one comprehensive definition, taking in all kinds of cases.

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Mr. A. V. Moothedan *(Chalakkudi):* Do Government think that it is desirable to adopt a uniform definition for both Cochin and Travancore?

Mr. A. B. Salem *(Mattancheri):* May I know, whether any difficulty has been experienced on account of this definition?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* No.

Mr. C. V. Iyyu *(Kunnamkulam):* Will the Government make a promise to this House that they will in a few months' time ascertain what the rule in Travancore is, what the rule in British India is, especially in the Province of Madras and what the rule in Mysore is, and then give a definite decision on this subject?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* No promise can be given. If we find it necessary we will make the necessary enquiries. If you want, I shall read the British definition.

Mr. C. V. Iyyu *(Kunnamkulam):* It is enough if you give a definite decision.

Mr. V. J. Mathai *(Planters):* Are the Government aware that out of 26 "Other Christians" drawing Rs. 100 and above in the service, 16 are Travancoreans?

Rao Sahib K. Achyuta Menon *(Secretary to Government):* That does not arise.

Mr. V. J. Mathai *(Planters):* What I mean is, when the Government follows the communal rotation, the number of appointments that are allotted to "Other Christians" are very few and out of these to snatch a lion's share by the Travancoreans is a very serious question. We find Cochinites are getting nothing at all.

Rao Sahib K. Achyuta Menon *(Secretary to Government):* May be. But it does not arise out of this question.

Mr V. J. Mathai *(Planters):* It arises.

Rao Sahib K. Achyuta Menon *(Secretary to Government):* It is only a statement.

Mr. C. V. Iyyu *(Kunnamkulam):* Last year, Sir, I brought this important question of over-riding the claim of genuine Cochinites to the notice of this House. In fact only one or two appointments were given by the S. S. B. to the sub-sect called Mar Thoma Community, who are classed as "Other Christians" and one Miss Achamma Kuruvilla who was neither born nor possessing any property in Cochin State was appointed to one of these vacancies. This is a very serious complaint as far as minority communities are concerned

Mr. President: Those things do not arise out of this.

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